THE HON'BLE SRI JUSTICE N.V. RAMANA

W.P. No. 22575 of 2006

Oral order:

As against the order dated 11.07.2006, passed by the 1st respondent, namely the Commandant, dismissing the petitioner from service, the learned Standing Counsel for the respondents submitted that the petitioner has got an effective alternative remedy under Rule 28A of the Border Security Force Rules, 1969, by way of a Petition to the 2nd respondent, namely the Director General.

In view of availability of alternative remedy, the learned counsel for the petitioner sought permission of the Court to withdraw the writ petition, granting petitioner the liberty to avail the alternative remedy.

Hence, the writ petition is dismissed as withdrawn, granting liberty to the petitioner to avail the alternative remedy available to him under Rule 28A of the Border Security Force Rules, 1969 against the impugned order dated 11.07.2006 passed by the 1st respondent, dismissing him from service, by way of a Petition to the 2nd respondent, and if any such Petition is filed, the 2nd respondent shall without reference to the period of limitation prescribed to present the Petition, shall entertain the Petition, consider the same and pass appropriate orders in accordance with law. No costs.

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N.V. RAMANA, J.

Date: 25th October, 2007
KSR